THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO: 1283 of 1996

Date: 28-07-2005

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Between:

1. Yeruva Pullaiah S/o Raghavaiah, Jonnalagadda Village, Nandigam Mandal, Krishna Dist.
2. Kolli Laxminarayana S/o Kotaiah, Jonnalagadda Village, Nandigam Mandal, Krishna Dist.
3. Kolli Surya Prakash Rao S/o Laxminarayana, Jonnalagadda Village, Nandigam Mandal, Krishna Dist.

..... PETITIONERS

AND

1. District Collector, Machilipatnam, Krishna Dist.
2. The Executive Director, Krishna Dist. SC Service Coop. Society Ltd., Machilipatnam, Krishna Dist.
3. Mandal Revenue Officer, Nandigama Mandal, Krishna Dist.

.....RESPONDENTS

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THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.1283 OF 1996

ORAL ORDER:

When the respondents intended to purchase lands under a land purchase scheme at Rs.21,000/- per acre in Nandigama Mandal, petitioners seem to have offered to sell their lands provided compensation for the trees, crop and wells existing therein also is given to them. Thereupon, the second respondent through his Memo RC.S4-102/93 dated 29-07-1994 informed the petitioners that as per the scheme question of payment of compensation for the trees or structures or wells existing in the lands is not available and if they are willing to sell the land at Rs.21,000/- per acre only they will purchase the land. Alleging that the respondents are trying to dispossess them by force from their lands, in view of their earlier offer, petitioner filed

this petition.

2. I understand that this scheme is only a voluntary scheme and persons who are willing to sell the land only need sell the land at the rate prescribed by the respondents. If they are not willing they need not sell their land. Therefore, the respondents cannot dispossess the petitioners without following due process of law.

3. Hence, with the observation that petitioners can be dispossessed only after taking due course of law, the petition is disposed of. No costs.

(C.Y.Somayajulu, J.)

Date: 28-07-2005

Cvrk